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Attorneys for Defendants

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

STATE OF OREGON et al.,

Plaintiffs,
v.

Consolidated Civil Action Nos.
6:19-cv-00317-MC (Lead Case)
6:19-cv-00318-MC

ALEX M. AZAR II et al.,

Defendants.

**DEFENDANTS' CONSENT MOTION
TO EXTEND TIME TO RESPOND TO
THE COMPLAINTS**

AND

**AMERICAN MEDICAL ASSOCIATION
et al.,**

Plaintiffs,

v.

ALEX M. AZAR II et al.,

Defendants.

Defendants respectfully request that the Court extend Defendants' deadline to respond to the complaints in these cases by thirty days, from June 20, 2019 to July 19, 2019. Undersigned counsel conferred with counsel for Plaintiffs and Plaintiffs consent to this motion.

As the Court is aware, Defendants are currently appealing this Court's order enjoining the Rule at issue in this case. In Defendants' view, a stay of all further proceedings in this case pending that appeal is appropriate because the Ninth Circuit's ruling is likely to provide substantial (if not dispositive) guidance to this Court and the parties in resolving the central merits issues presented in this case. After conferring with counsel for Plaintiffs, however, the parties agreed that Defendants will produce the administrative record in this case by no later than June 24 and the parties will subsequently discuss what further proceedings, if any, are appropriate while the appeal is ongoing. The requested extension will facilitate that consultation among the parties and obviate the need for Defendants to seek a stay at this time.¹

For these reasons, Defendants respectfully request that the Court extend their deadline to respond to the complaint in both cases to July 19, 2019.

Dated: May 30, 2019

Respectfully submitted,

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¹ Defendants reserve their right to seek a stay once the parties have consulted, as well as their right to seek relief from any other litigation deadlines that may arise.

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